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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/818,727

03/27/2001

Ronald P. Sansone

E-988

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7590

07/13/2004

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EXAMINER

WEBB, JAMISUE A

ART UNIT

PAPER NUMBER

3629

DATE MAILED: 07/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. With respect to Claims 1 and 6: the preamble of the claim states “a method for determining the location of a missing person”, yet the claim does not recite any steps of determining the location, it only gives a list of people that are “likely” to be the missing person, therefore only claims a method to aid in the location of a missing person. The body of the claim does not achieve what the preamble says the method do is for.
4. Claims 1 and 6 recite the limitation "the name" in line 3. There is insufficient antecedent basis for this limitation in the claims.
5. Claims 1 and 6 recite the limitation "the carrier" in line 6. There is insufficient antecedent basis for this limitation in the claim.
6. With respect to Claims 1 and 6: the phrase “scanning mail faces that have been deposited with the carrier by a sender” is indefinite. It is unclear to the examiner if “a sender” is any sender that sends mail through the specific carrier, or is the sender one of the parties that is likely to receive mail from or send mail to the missing person.
7. With respect to Claims 1 and 6: the phrase “producing a list of scanned names and addresses” is indefinite. It is unclear to the examiner if this list is produced from the scanned images, and is the list just a bunch of images, or are they actual

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characters/letters/words? Is there some form of character recognition step that converts the image to characters to produce this list?

8. Claims 1 and 6 recite the limitation "the list" in line 11. There is insufficient antecedent basis for this limitation in the claim. Is this the list of parties, or the list of scanned names and addresses?

9. With respect to Claims 1 and 6: the phrase "to determine if the missing person is the recipient or sender of mail that is likely to be the missing person" is indefinite. The sentence appears to be grammatically incorrect and reads that the mail is likely to be the missing person. Therefore it is unclear what this phrase is trying to do or accomplish, other than reviewing the delivered list.

10. Claims 2 and 7 recite the limitation "the likely person" in line 2. There is insufficient antecedent basis for this limitation in the claims. Claims 1 and 6 recite a list of likely people, therefore it is unclear who "the" likely person is. Furthermore it is unclear how this is being verified and who is doing the verification.

11. Claims 3, 4, 8 and 9 recite the limitation "the recipient" in line 2. There is insufficient antecedent basis for this limitation in the claims. Is this the recipient of the mail or of the list?

12. Claims 5 and 10 recites the limitation "the mail face" in line 2. There is insufficient antecedent basis for this limitation in the claim. Previously the claim recites multiple mail faces, therefore it is unclear which mail face this is referring to.

13. With respect to Claims 5 and 10: the phrase "delivering a reproduction of the scanned image" is indefinite. It is unclear who this is being delivered to, and

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furthermore, there is more than one scanned image, therefore it is unclear what this is referring to.

***Claim Rejections - 35 USC § 101***

14. Claims 1-10 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The basis for this rejection is set forth in a two-prong test of:

- (1) whether the invention is within the technological arts; and
- (2) whether the invention produces a useful, concrete, and tangible result.

For a claimed invention to be statutory, the claimed invention must be within the technological arts. Mere ideas in the abstract (i.e., abstract idea, law of nature, natural phenomena) that do not apply, involve, use, or advance the technological arts fail to promote the "progress of science and the useful arts" (i.e., the physical sciences as opposed to social sciences, for example) and therefore are found to be non-statutory subject matter. For a process claim to pass muster, the recited process must somehow apply, involve, use or advance the technological arts.

In the present case, claims 1-10 only recite an abstract idea. The recited steps of merely scanning mail and determine if the scanned mail includes names then producing a list of names and addresses, does not apply, involve, use or advance the technological arts since all of the recited steps can be performed in the mind of the user, by the naked eye or by use of a pen and paper. These steps only constitute an idea of how to produce a list of likely names and addresses of a missing person.

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Additionally, for a claimed invention to be statutory, the claimed must produce a useful, concrete, and tangible result. In the present case, the claimed invention produces a list of likely names and addresses of a missing person (i.e., useful and tangible).

Although the recited process produces a useful, concrete, and tangible result, since the claimed invention, as a whole, is not within the technological arts as explained above, claims 1-10 are deemed to be directed to non-statutory subject matter.

### ***Conclusion***

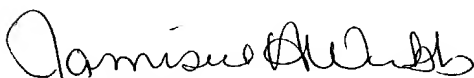
15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sestrom et al. (6,647,385) discloses the use of scanning mail and updating address databases, Bruce et al. (6,741,724) discloses the use of a method using an OCR system, Koga et al, (2001/0021261) discloses the use of an method and machine for mail scanning and sorting, McKeen, Jr. (4,037,956) discloses the use of verified mail system, Corvari et al (CA 1178711) discloses the use of an apparatus to scan and analyze mail for address information, Carnivore FAQ ([www.robertgraham.com](http://www.robertgraham.com)) discloses the use of a system used by the FBI that tracks and monitor's e-mail addresses, Wattendorf (Dialog reference 04717583) discloses the use of surveillance strategies, Pace (Dialog reference 13562569) discloses the use of monitoring mail and privacy issues, People Finder ([www.peoplefindernow.com](http://www.peoplefindernow.com)) discloses the use of different strategies used to find missing people.

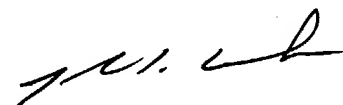
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamisue A. Webb whose telephone number is (703) 308-8579. The examiner can normally be reached on M-F (7:30 - 4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Jamisue Webb

  
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